and observed that participants with excess cash which could be withdrawn by 11:00 a.m. elected not to do so. PTC was advised by its participants that 1:00 p.m. would be a more appropriate cut-off time to request return of prefunding payments.

II. Discussion

Section 17A(b)(3)(F) of the Act[6] requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of PTC or for which it is responsible. By extending the time to request return of prefunding payments to 1:00 p.m., PTC's participants will be better able to determine whether prefunding payments on deposit with PTC will be required to support transactions at PTC. Furthermore, PTC is not changing the Program's requirement whereby PTC will not return any prefunding payments unless the requesting participant is within its net free equity and net debit monitoring level controls at the time the request is made. Therefore, the Commission believes that even with the later cut-off time for requesting return prefunding payments PTC should be able to continue to provide for the intraday return of prefunding payments while still assuring the safeguarding of securities and funds in its custody or control.

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–PTC–97–03) be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–24588 Filed 9–16–97; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–39044; File No. SR–Phlx–97–41]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to Registration Fees for Registered Representatives

September 10, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1], notice is hereby given that on August 25, 1997, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Phlx. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx seeks to amend its fee schedule pertaining to registration for Registered Representatives (''RR''). Below is the text of the proposed rule change. Additions are italicized; deletions are in brackets.

* * * * *

	Phlx fee structure
Membership Dues or Foreign Currency User Fees*	$1000.00 semi-annually.
Application Fee	200.00.
Initiation Fee—Members, Participants and Approved Lessors	1500.00.
Transfer Fee	500.00.
Trading Post/Booth	375.00 quarterly.
Floor Facility Fees	187.50 quarterly.
Direct Wire to Floor	60.00 quarterly.
Telephone System Line Extensions	22.50 monthly/per extension.
Execution Services/Communication Charge	200.00 monthly.
Stock Execution Machine Registration Fee (Equity Floor)	300.00 per unit.
Equity, Option or FCO Transmission Charge	750.00 monthly.
FCO pricing tape	600.00.
Option Report Service:	
New York	600.00.
Chicago	800.00.
Examinations Fee**	1000.00 monthly.
Technology Fee	100.00 monthly.
Registered Representative Registration:	
Initial	*12.00* [$10.00].
Maintenance	*12.00 annual* [$10.00 annual].
Transfer	*12.00* [$10.00].

*An exemption from foreign currency user fees is extended to PHLX members also holding title to a foreign currency options participation.

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. § 78s(b)(1) (1994).

**This fee is applicable to member/participant organizations for which the PHLX is the DEA. The following organizations are exempt: (1) inactive organizations; (2) organizations operating from the PHLX trading floor which have demonstrated that at least 25% of their income as reflected on the most recently submitted FOCUS Report was derived from floor activities; (3) organizations for any month where they incur transaction or clearance fee charges directly by the Exchange or by its registered subsidiary, provided that the fees exceed the examinations fee for that month; and (4) organizations affiliated with an organization exempt from this fee due to the second or third category. Affiliation includes an organization that is a wholly owned subsidiary of, or by under common control with, an ''exempt'' member or participant organization. An inactive organization is one which had no securities transaction revenue, as determined by semi-annual FOCUS reports, as long as the organization continues to have no such revenue each month.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Phlx proposes to increase its fees for the initial, maintenance and transfer of RR registration with the Exchange from $10.00 to $12.00. These fees, which were adopted in 1993,[2] and subsequently adjusted in 1995,[3] were intended to offset Exchange regulatory costs based on the number of registrations maintained by member organizations. The registration fees are payable by member organizations that apply for, maintain and transfer RR registrations. Specifically, the Exchange will increase the $10.00 fee for all initial RR registrants to $12.00. The $10.00 annual maintenance fee also will increase to $12.00 for each RR. Lastly, the $10.00 fee for transfers of RR registrations will increase to $12.00. This increase will become effective upon the November 1997 billing for the January 1998 fee, which is conducted and collected for the Exchange by the National Association of Securities Dealers, Inc. (''NASD''). The $12.00 fees apply to 1998 registrations. Any initial registration in 1997 would continue to be subject to the $10.00 initial registration fee. Any maintenance and transfer fees incurred for calendar year 1997 would continue to be subject to the $10.00 maintenance or transfer fee.

The purpose of the proposed rule change is to address the increased costs associated with maintaining a fair and orderly market in Exchange products due to growing trading volume which drives the need for enhanced automated surveillance in an increasingly sophisticated trading environment. The proposed fee increase also addresses an increase in the number of listed products traded by the Exchange as ''primary issues,'' the number of trading vehicles with new features, and the number of surveillance investigations conducted, including the resultant disciplinary actions.

The Exchange continues to believe that a strong regulatory program is essential to an exchange's ability to maintain a fair and orderly market for the investment community. Since the adoption of the RR fees, the Exchange has listed additional issues and new products, triggering additional regulatory costs. Most notably, the general costs associated with the Exchange's regulatory program have continued to rise. Inflationary increases have also affected the cost of staffing, equipment, technology and other continuing expenses, which have risen since the last increase in 1995.

2. Statutory Basis

The proposed registration fee increase is consistent with Section 6(b)(4) of the Act[4] in that it provides for the equitable allocation of reasonable dues, fees or charges among the Exchange's members and issuers and other persons using its facilities. The Exchange notes that the implementation of such a fee is similar to other exchanges, including the American Stock Exchange, Chicago Board Options Exchange, New York Stock Exchange, NASD and Pacific Exchange.[5] The Exchange believes that the fee increase from $10.00 to $12.00 is reasonable in light of increasing regulatory costs and the anticipated 1998 budgetary costs since the fee was last adjusted in 1995.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were either solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change establishes or changes a due, fee, or other charge imposed by the Exchange and, therefore, has become effective on August 25, 1997, pursuant to Section 19(b)(3)(A) of the Act[6] and subparagraph (e) of Rule 19b–4 thereunder.[7]

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

[2] Securities Exchange Act Release No. 32833 (September 14, 1993), 58 FR 48922 (September 20, 1993) [File No. SR–Phlx–93–24].

[3] Securities Exchange Act Release No. 36348 (October 6, 1995), 60 FR 53450 (October 13, 1995) [File No. SR–Phlx–95–59].

[4] 15 U.S.C. § 78f(b)(4) (1994).

[5] *See e.g.*, Securities Exchange Act Release No. 36733 (January 17, 1996), 61 FR 1954 (January 24, 1996) [File No. SR–AMEX–95–55]; Securities Exchange Act Release No. 36119 (August 18, 1995), 60 FR 44372 (August 25, 1995) [File No. SR–CBOE–95–31]; Securities Exchange Act Release No. 35796 (June 1, 1995), 60 FR 30625 (June 9, 1995) [File No. SR–NYSE–95–20]; Securities Exchange Act Release No. 38112 (January 3, 1997), 62 FR 1350 (January 9, 1997) [File No. SR–NASD–96–53]; Securities Exchange Act Release No. 29954 (November 18, 1991), 56 FR 59315 (November 25, 1991) [File No. SR–PSE–91–37]; and Securities Exchange Act Release No. 31425 (November 9, 1992); 57 FR 54371 (November 17, 1997) [File No. SR–PSE–92–31].

[6] 15 U.S.C. § 78s(b)(3)(A)(1994).

[7] 17 CFR 240.19b–4(e)(1997).

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW, Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR–Phlx–97–41 and should be submitted by October 8, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–24590 Filed 9–16–97; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATES: Comments should be submitted on or before October 17, 1997. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83–1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Jacqueline White, Small Business Administration, 409 3RD Street, SW., 5th Floor, Washington, D.C. 20416, Telephone: (202) 205–6629.

OMB Reviewer: Victoria Wassmer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC. 20503.

Title: SBA Counseling Evaluation.

Form No: 1419.

Frequency: Annually.

Description of Respondents: Small Business Clients.

Annual Responses: 2,800.

Annual Burden: 476.

Dated: September 11, 1997.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 97–24645 Filed 9–16–97; 8:45 am]

BILLING CODE 8025–01–P

[8] 17 CFR 200.30–3(a)(12) (1997).

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D–17]

WTO Dispute Settlement Proceeding Regarding Certain Indonesian Measures Affecting the Automobile Industry

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: Pursuant to section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the Office of the United States Trade Representative (USTR) is providing notice that, at the request of the United States, a dispute settlement panel has been established under the Agreement Establishing the World Trade Organization (WTO), to examine certain Indonesian measures affecting the automobile industry. More specifically, in this dispute the United States alleges that the Indonesian measures in question are inconsistent with several WTO agreements, including Articles I:1, III:2, and III:7 of the General Agreement on Tariffs and Trade 1994 (GATT 1994); Article 2 of the Agreement on Trade-related Investment Measures (TRIMs Agreements); Articles 3, 20 and 65 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement); and Article 28.2 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement); In addition, the United States alleges that the measures in question constitute subsidies that cause ''serious prejudice'' to the interests of the United States in view of Articles 6 and 27 of the SCM Agreement. USTR also invites written comments from the public concerning the issues raised in the dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before October 3, 1997, to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Ileana Falticeni, Office of Monitoring and Enforcement, Room 501, Attn: Indonesia Automobile Industry Dispute, Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT:

William D. Hunter, Assistant General Counsel, (202) 395–3582, or Mary Latimer, Office of Asia & the Pacific, (202) 395–4755.

SUPPLEMENTARY INFORMATION: On June 12, 1997, the United States requested the establishment of a WTO dispute settlement panel to examine whether certain Indonesian measures affecting the automobile industry are inconsistent with Indonesia's obligations under several WTO agreements, and whether such measures constitute subsidies that cause serious prejudice to the interests of the United States under the SCM Agreement. Previously, on April 17, 1997 and May 12, 1997, Japan and the European Communities (EC), respectively, had requested the establishment of a panel regarding some of the same measures, making claims that were similar to, but narrower in scope than, those made by the United States. On June 12, 1997, the WTO Dispute Settlement Body (DSB) established a panel to examine the complaints of Japan and the EC. On July 30, 1997, the DSB established a panel to examine the U.S. complaint, and decided to consolidate the U.S. panel with the Japan/EC panel established earlier. Under normal circumstances, the panel, which will hold its meetings in Geneva, Switzerland, would be expected to issue a report detailing its findings and recommendations within twelve months after it is established.

Major Issues Raised by the United States and Legal Basis of Complaint

In 1993, Indonesia adopted a system of incentives for manufacturers of motor vehicles and parts in the form of duty reductions on imports of certain products and tax reductions on the sale of motor vehicles. These incentives are conditional on compliance with local content requirements with respect to inputs. In February, 1996, Indonesia expanded this system of incentives to provide additional tax and tariff incentives designed to promote a ''national car'' that was produced by an Indonesian company, carried a unique Indonesian trademark, and had a gradually-increasing percentage of local content over the ensuing three years. Indonesia made a modification to this program in June, 1996, when it